

Brandon's notes in green under the relevant agenda items.

Info on past public meetings: [VT EJ Law Calendar](#)

April Advisory Council (AC) Meeting Agenda

Welcome. [10 min]

- [2 min.] Welcome and introductions.
- [3 min.] Energizer
- [2 min.] Consent to [Relational Community Agreements](#).
- [2 min.] Approve [December 18th, 2023 Joint minutes](#) and approve April 29th, 2023 Agenda **PDF LINK** (current agenda).
- Ashira introduced herself and welcomed participants
- Participants shared their name, affiliation, and "least interesting fact connections"
 - Kim Barrett (Civil Rights & EJ Unit, ANR)
 - Trey Martin (VHCB)
 - Gayle Pezzo (Mobile home representative)
 - Mariana (Hunger Free VT)
 - Maryam Abbasi (Immigrant Community representative)
 - Rich Holschuh (Vermont Commission on Native Americans)
 - Juliet (EJ Coordinator from ANR)
 - Karla Raimondi (Inter-agency committee)
 - Megan
 - Bridgit Phillips
 - Kira Mok (US EPA)
 - Brandon Chambers (CBI)
 - Kristi Rea Simoneau (EPA)
 - Katelyn Ellerman (ANR)
 - Rev. Brownbridge (joined late)
- AC reviewed Relational Community Agreements. A member read each agreement out loud. Members all consented and agreed to these agreements.
- Members approved the minutes from the 12/18 meeting.
- Ashira reviewed agenda for the day.

VT EJ Law Updates. [25 min.]

- [5 min] **1:1 Meeting Recap.**
 - Kim and Juliet share overarching themes from the 1:1 AC member meetings. They'll affirm this feedback, and share actionable steps everyone can take to respond:
 - **Examples:** Be mindful of language; Send shorter, less technical yet informative emails; Provide space for connection in meetings; Suggest additional relational agreements
 - [Survey](#): Mention anonymous survey to provide feedback at for today's meeting
- [5 min] **Legislative Update.- adjust to match slide-Kim**
 - Last legislative session, we introduced a request to members of the legislature that was not picked up by any committees. The request:
 - Removal of the 8 public meeting per year cap for the Interagency Committee and AC.

- Adopt the proposed [recalibrated deadlines](#).
- Questions?
- [15 mins] **[Core Principles of Community Engagement](#) public comment period.**
 - **Important Dates (5 mins):** public comment period set to be open from May 1- June 14, finalized draft is due to be released to the public July 1.
 - **Emphasize:** We can start simply. The period is long enough to allow an iterative process.
 - **Guiding Questions & Discussion (10 mins):**
 - What kind of feedback does your community have on what equitable community engagement looks like?
 - What are ways we can make the comment period reciprocal?
 - How do we make the public comment process accessible to community members?
 - How and where could we collect oral comments?
 - **What** ways can you connect your communities to the public comment period, given your availability? Sharing on social media, Emailing community members, Hosting a meeting, texting, etc.
 - Please fill out this [Microsoft Form](#) **UPDATE** to provide more detailed ideas on how to make the public comment period successful.
- Kim Barrett led **recap of 1:1 meetings:** See overarching themes, next steps from slides.
- Karla R. led **legislative updates:** draw from slides.
 - Document & recalibrated deadlines include interim milestones to keep the bodies on track to meet goals.
 - Karla also met with legislators and presented the recalibrated deadlines & raised the importance of including these deadlines in legislation.
 - Haven't heard any updates on this, but looking to provide an update prior to the close of the legislative session. Other AC members (Jennifer Byrne) have also provided updates to legislators (Sen. Ram-Hinsdale).
- Questions:
 - *What would happen if recalibrated deadlines are not enacted?* Karla would prefer to wait until that eventuality to discuss that scenario. There was a natural recalibration due to per diem issue (so deadlines pushed back 2 months). Depends on what happens in the legislature.
- Kim led **Core principles comment period** update
- Ashira led Mentimeter on last question.
 - *Not clear what we are asking them to comment on.* Karla replied that statute requires AC to develop core principles for community engagement, and had to go before public comment. Question is how community members would like staff to connect with communities (e.g., educational events).
 - *Distributing principles along with the request for public comment via email networks.*
 - *Social media posts; collaborating with Land Access Opportunity Board.*
- Ashira advised that Microsoft Form will be sent out after the meeting.

Public Comment. [10 min]

- 2 minutes per individual, can rotate back
- None

Break. [5 min]

CR & EJ Complaint Reports Response Part 1 [1 hr 25 mins]

- **[5 min] Intro.**
 - [3 min.] Brief summary of statutory language and intent behind this deliverable
 - [2 min] Important Dates: Report was provided to AC members on March 15, their response due May 13.
 - Context: Advisory Council gets an introductory recap to the covered agencies' [Civil Rights and Environmental Justice Complaint Summaries Reports](#). We cover why their input is important, the intention for this deliverable, and an explanation of each element to the complaints to support them in developing and submitting their formal response.
- **[20 min] Substance.**
 - [10 min] Title VI- Rachel Stephens
 - Schedule meeting with Rachel to review
 - [10 min] Environmental Justice - Kim or Juliet
 - Use the definition from VT Law
- **[60 min] Recommendations & Response.**
 - Most agencies didn't have complaints to respond to. Most asked the AC what they should consider when responding to complaints and suggestions for how to collect complaints.
 - Recommendation Gathering Google Doc Activity (40 mins)
 - [Recommendation Gathering Google Doc Activity](#)
 - **Guiding Questions to develop AC response:**
 - What steps should agencies take when addressing an EJ complaint?
 - What are the elements of an EJ complaint?
 - How should agencies collect complaints? Written and orally?
 - What content should agencies include in their reports in the future? / How should the agencies structure their summary reports?
 - Other questions?
 - Group Debrief (20 mins)
- Juliet – **reviewed slide on CR & EJ Complaint report response**
- Rachel Stevens – **reviewed statutory language, what it means to be a Title VI violation.**
 - Reviewed Title VI of Civil Rights Act
 - Each agency that receives federal funding is subject to oversight. ANR receives funding from US EPA, so ANR required to implement Title VI and regulation, and respond and report to EPA.
 - Title VI complaints can be submitted to state agencies or federal agencies directly.
- Questions:
 - *Mariana: How does Title VI relate to environmental justice? Should we look into discrimination or injustices? Is it our role to make that distinction or the agencies? Rachel*

previously worked at EJ clinic at Vermont Law School. Example of how they may overlap: client was a community group that lived adjacent to a landfill, was 90% Black. Siting of the landfill was environmental justice issue. Landfill was accepting waste from predominantly white communities. This is an example of both an injustice and example of discrimination. (It's a fine line.) There is a legal definition for Title VI, but not all EJ issues may clear Title VI threshold. Civil Rights Act does not protect income, however. Katelyn Ellermann—this is an area of federal law and compliance for the agencies. So it fits into regulatory compliance already being done by agencies (it is an additional reporting step). It is also important to be respectful of complainants' privacy.

- *Karla: Title VI violations are federal in nature, so agencies do not have discretion on what is included. Rachel – reporting requirement is all complaints (even if no violation found, or investigation pending, etc.). Agencies clear on what a complaint is. However, the harder question is how can the agencies define what an EJ complaint is.*
- Kim: asked AC members “What does Environmental Justice mean to you?”
 - *Rich: As we've discussed it, centers on human beings and not the environment at all. Environment needs to be centered as well, until then I don't know how to weigh in.*
 - *Trey: It is easy to imagine EJ law taking effect in cases of a burden on communities, however it is also about ensuring equal access to environmental benefits.*
 - *Britaney Watson: Equal distribution of benefits and burdens in communities. There will continue to be some levels of harm to communities, but those need to be equally distributed (not predominantly in marginalized communities).*
 - *Mariana: Would Rich say we should incorporate environment more into EJ (along with communities)? Or should EJ solely be about EJ?*
 - *Rich: Narrowly framed on impact to human communities. It is anthropocentric. Everything looks back on ourselves (only humans included in that justice calculus). It becomes a one-way transactional way of looking at things. Even if everyone is on the continuum of equity, it's still the other-than-humans that are giving everything. Mother Nature/Earth continues to lose out.*
 - *Rachel: Maybe one way that might show up is less pollution overall is a benefit to people and the planet.*
 - *Gayle: What does that look like? Rich: page 4 of the core principles of community engagement.*
 - *Mariana: **Motion to have a conversation on this in a future agenda.***
 - *Motion agreed to.*
 - *Karla: This is the AC's first response. AC will have another opportunity next year to issue a response. We can continue deliberations into the future. In the future, we hopefully get to a place where we can better engage with this concept of environmental justice.*
- Ashira moved to complaint report response questions. AC members answered questions in breakout groups.
- Kim Barrett (red box, what should agencies' steps be)—
 - Agencies need to categorize complaints and develop metrics
 - Need for solution-building, involving whoever was impacted
 - Ensure people know where to send complaints
 - Streamline complaint process
 - *Lots of consensus*
- Mariana & Walter (orange box, elements of an EJ complaint)—
 - Some kind of intake form (who is impacted, why, what would a remedy look like).
 - What to do if people make complaints in person.

- Rich – looks comprehensive + ask if we missed something obvious
- Rich (yellow box, how should agencies collect complaints)—
 - Multiple avenues, others from worksheet
 - Central repository **across agencies**
 - First come first served, highly responsive—eventually a set goal of a response time
 - Gayle- Some might be more crucial than others so first come, first serve might be better
 - Britaney – if one complaint is more critical should it be elevated?
 - Juliet—who determines what the priority should be?
- Walter & Mariana (green box, content of reports)
 - If there's a mechanism for Title VI, could use a similar mechanism for EJ complaints.
 - Rich & Britaney – some way to categorize things, outward tracking
 - Juliet—might be good to outline common sections for each of the reports
- Ashira reminded AC that they will have more opportunities to revise their response.

Public Comment. [10 min]

Break. [5 min]

CR & EJ Complaint Reports Response Part 2 [10 min]

- **[10 min] Next Steps.**
 - Does the group want to draft one report as a group? If so, individuals can still submit individual responses in addition to the group response.
 - Who will work on drafting this response?
 - How will this effort be coordinated?
- Ashira asked questions above
 - AC concurred with sending one report (Mariana suggested AC could adjust in the future if needed)
 - Ashira made the document a static document
- Who can work on this? Capture what is in this document and put it in your own words and develop a draft that can be shared with others (including those not present)
 - Walter can get a draft by May 8
 - Mariana can review a 2nd draft, then send to members by May 9
 - Send to Kim & Juliet by May 13
- Karla – this is the first time we're doing this, will have a better process next year.

Task Groups [10 min]

** Use "Define Process & Delegate Tasks" section to segway into task groups. **

- **[3 min] Community Engagement**
 - **Purpose:** Purpose is to advance meaningful participation of VT's EJ Focus Populations
 - **Example Duties:** Developing and implementing strategies; Coordinating community engagement efforts; Creating accessible communication methods; Advising on public comment period

- **Important Dates:** Core Principles of Community Engagement: public comment period set to be open from April 24-June 7, finalized draft is due to be released to the public July 1.
 - Draft Community Engagement Plans are due from covered agencies July 1, 2025.
 - **Context:** VT EJ Law requires that covered agencies develop Community Engagement Plans, guided by the Core Principles of Community Engagement. This task group would be set to help support covered agencies in the creation of their plans as well as AC members in connecting with their own communities.
- [3 min] **Environmental Benefits Spending Guidance.**
 - **Purpose:** Write guidance for covered agency environmental benefit spending reports
 - **Example Duties:** Advise covered agencies on equitable distribution of environmental benefits for environmental justice focus populations
 - **Important Dates:** Final guidance is due to be made public by October 31, goal to make it available for public comment by August 5.
 - **Context:** VT EJ Law requires that covered agencies create a 3-year look-back environmental benefit spending report (and then annually from there forward) to the AC. This guidance is to help support the agencies in the creation of their reports. As of October of 2023, we have developed a ["guide to the guide"](#) to help support the creation of this Environmental Benefits Spending Guidance. A task group would be set to continue this work.
- [3 min] **Mapping Tool.**
 - **Purpose:** To advise on the use of a mapping tool to depict EJFP and environmental burdens
 - **Example Duties:** Determine criteria, variables and priorities for mapping tool; Provide input on what kind of contractor should design the mapping tool
 - **Important Dates:** A request for proposal (RFP) is tentatively set to be finalized December 31.
 - **Context:** VT EJ Law requires the creation of a mapping tool to identify and track Environmental Justice Focus Populations (EJFP). **The input from the AC will help guide what priorities, variables, etc. will go into the mapping tool, and what kind of contractor will be tapped to design this tool.**

- Kim & Juliet read through details in slides

- Task groups:

- Mariana recommended people sign up for community engagement task group
 - Karla outlined that the community engagement task group is the cornerstone of the implementation of the EJ law. Helps agencies identify pathways to communicate better with marginalized communities. Task group should start meeting as soon as possible.

[7 min] **Next steps & [Anonymous Survey](#).**

- Mention survey is anonymous again
- Ashira recommended filling out the survey to provide feedback & where the AC wants to take meetings.
- Joint interagency committee & AC meeting will be May 29 @ 10-1. Encouraged people to join in person if possible.

- Karla recognized Claudia's Catering (provided chicken tacos, frijoles, rice). Another member of the communities will prepare food next time.

[2 min] Appreciation & Closing.

- Adjourned at around 3:02